

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, AUGUST 14TH, 2006 AT 7:30 P.M. IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

PRESENT: Mayor D. Burgess in the Chair, Councillor V. Barletta, Councillor E. Black, Councillor M. Blight, Councillor L. Brown, Councillor M. Campbell, Councillor R. Chrest, Councillor D. Jessiman, Councillor D. Paterson, Councillor G. Rice, Councillor B. Smale

ABSENT: Nil

ADOPTION OF AGENDA:

1918 Rice-Brown
That the Agenda for the Regular Meeting of City Council to be held on Monday, August 14th, 2006 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

1919 Blight-Rice
That the Minutes of the Regular Meeting of City Council held on Monday, July 17th, 2006 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

Prior to voting on the above, Councillor Paterson noted that his enquiry (No. 713) with respect to the status of flood claims dealt more so with obtaining judicial interpretation as opposed to a legal opinion.

HEARING OF DELEGATIONS:

(A) JORDAN ROSS – DOWNTOWN SKATEBOARD PARK

Jordan Ross appeared before City Council with respect to the Downtown Skateboard Park. He provided material on a recently developed skateboard park in The Forks, Winnipeg, Manitoba and information on a proposed site in Brandon, being the old Prince Eddy site. He requested City Council consider the elimination of the matching funds concept currently associated with funding for the park, and designation of the parking lot on 9th Street and Princess Avenue for use as a skateboard park in order to secure partnerships, grants and the required conditional use.

1920 Barletta-Paterson
That the presentation by Jordan Ross with respect to the request to remove the condition to obtain matching funding in order to access the City allocated funds for the completion of the downtown skateboard park be referred to the Administration for consideration and subsequent report. CARRIED AS AMENDED.

AMENDMENT

1921 Black-Rice
That the above motion be amended by deleting the word: “request” and substituting therefor the word: “requests” and by adding after the words: “completion of the downtown skateboard park”, the words: “and designation of the parking lot located at 9th Street and Princess Avenue for said park”. CARRIED.

Following the above motion being voted on, it was clarified that the intent of having the land “designated” was, in fact, to have the City donate the property to the Skateboard Association.

(B) JIM FERGUSON – PROVINCIAL EXHIBITION OF MANITOBA

Jim Ferguson, President, Provincial Exhibition of Manitoba (Exhibition) appeared before City Council to provide an update on the current and future direction of the Exhibition, including of the benefits to the Keystone Centre, the City of Brandon and the Westman Area. He also pointed out the upcoming challenges being faced by the Exhibition, inclusive of negotiating a long-term lease with the Keystone Centre.

Rice-Black

1922 That the presentation by Jim Ferguson with respect to an update on the Provincial Exhibition of Manitoba be received. CARRIED.

(C) TROY NOTT – CANADIAN CURLING HALL OF FAME – BUSINESS CASE

Troy Nott, Chairperson of the Canadian Curling Hall of Fame Committee, appeared before City Council to present a business case with respect to the operation of the Hall of Fame. He extended his thanks to the many individuals and organizations who had assisted with the preparation work completed to date. He indicated that having the Canadian Curling Hall of Fame in Brandon still made sense, however, not necessarily in the building and format originally proposed. He provided a summary of the business case that would be provided to City Council in the near future.

Paterson-Jessiman

1923 That the presentation by Troy Nott of the Canadian Curling Hall of Fame Committee regarding its business case be received. CARRIED.

(D) GLEN VANDERHAEGHE – SHAPE FOODS

Glen Vanderhaeghe of Shape Foods appeared before City Council with respect to the establishment of an Omega 3 processing facility in Brandon. He provided a power-point presentation and written material on the proposal which outlined the background, plant and operations, environmental impact and community benefits.

Black-Jessiman

1924 That the presentation by Glen Vanderhaeghe of Shape Foods with respect to the building of an Omega 3 processing facility in Brandon be received. CARRIED.

(E) DR. EVA PIP – ASSESSMENT OF PROPOSED SITE FOR FIRE HALL (1ST STREET AND PACIFIC AVENUE)

It was noted that the delegate was unable to attend this meeting.

PUBLIC HEARINGS:

(A) CONDITIONAL USE – 638 PACIFIC AVENUE (MASSEY HARRIS BUILDING DEVELOPMENT COMPANY INC.)

It was noted that the applicant had submitted a letter withdrawing the subject conditional use application.

(B) CONDITIONAL USE – 342 PARK AVENUE EAST (EDMONDSON)

City Council sat to receive representation on the above noted matter.

Glenn Edmondson appeared before City Council in support of his application and to answer any questions. He stated that the purpose of the application was to allow for a self storage building on the property.

No further written or verbal representation was put forward either in support of or in opposition to this application.

Jessiman-Chrest

1925 That the Public Hearing for the conditional use application by Glenn Edmondson for 342 Park Avenue East be concluded. CARRIED.

Jessiman-Chrest

1926 That the conditional use application by Glenn Arthur Edmondson to allow for a self storage building at 342 Park Avenue East (Lot 2, Block 1, Plan 1949 BLTO) be approved. CARRIED.

(C) CONDITONAL USE – 1700 MCGREGOR AVENUE EAST (J.W. DITCHFIELD & SON LTD.)

Councillor Paterson declared a conflict of interest and left the Council Chamber without any further discussion.

City Council sat to receive representation on the above noted matter.

Don Ditchfield appeared before City Council in support of his application and to answer any questions. He stated that the purpose of the application was to allow for a detached dwelling supportive of the permitted principal use of the property.

No further written or verbal representation was put forward either in support of or in opposition to this application.

Black-Jessiman

1927 That the Public Hearing for the conditional use application by Don Ditchfield for 1700 McGregor Avenue East be concluded. CARRIED.

Black-Campbell

1928 That the conditional use application by Don Ditchfield on behalf of J.W. Ditchfield to allow for a detached dwelling supportive of a permitted principal use at 1700 McGregor Avenue East (Pt. NW¼ 19-10-18 WPM) be approved. CARRIED.

Following the above motion being voted on, Councillor Paterson re-entered the Council Chamber.

(D) VARIATION – 602 – 25TH STREET (CATHCART)

City Council sat to review representation on the above noted matter.

Gerald Cathcart appeared before City Council in support of his application and to answer any questions. He stated that the purpose of the application was to allow for the construction of a detached garage on the property.

Kevan Sumner, College Avenue and 24th Street, appeared in support of the application and noted the applicant was more than willing to work with the City's Engineering Department to ensure the driveway would be constructed so as not to impede any future sidewalk development.

No further written or verbal representation was put forward either in support of or in opposition to this application.

1929 Smale-Barletta
That the Public Hearing for the variation application by Gerald and Caroline Cathcart for 602 – 25th Street be concluded. CARRIED.

1930 Smale-Chrest
That the variation application by Gerald and Caroline Cathcart to reduce the minimum required corner side yard for an accessory building from 3m (9.84') to 1.5m (4.92') to build a detached garage at 602 – 25th Street (Nly 5' of Lot 38, all of Lots 39/40, Block 9, SS Plan 720 BLTO) be approved whereby such approval is hereby granted in accordance with the intent of the application dated June 19th, 2006, the letter of intent dated July 8th, 2006 and the attached drawing. CARRIED.

(E) VARIATION – 1539 – 22ND STREET (WILSON O/B/O MACSYMACH)

City Council sat to review representation on the above noted matter.

Audrey Wilson appeared before City Council in support of her application and to answer any questions. She stated that the purpose of the application was to legally establish an existing garage on the property.

No further written or verbal representation was put forward either in support of or in opposition to this application.

1931 Campbell-Brown
That the Public Hearing for the variation application by Alistair and Audrey Wilson on behalf of Jason and Tryna Macsymach for 1539 – 22nd Street be concluded. CARRIED.

1932 Campbell-Brown
That the variation application by Alistair and Audrey Wilson on behalf of the owners, Jason and Tryna Macsymach, to reduce the minimum required side yard for an existing garage from 0.3m (0.98') clear of all projections to 0.25m (0.82') clear of all projections at 1539 – 22nd Street (Lot 6, Plan 37214 BLTO) be approved whereby such approval is hereby granted in accordance with the intent of the application dated July 14th, 2006, the letter of intent dated July 14th, 2006 and the attached drawing. CARRIED.

(F) BY-LAW NO. 6846 TO REZONE 1510, 1512, 1530 AND 1550 – 12TH STREET FROM RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE TO CAR COMMERCIAL ARTERIAL ZONE (ESLER O/B/O 3777121 MANITOBA LTD.)

Councillor Brown declared a conflict of interest due to business associations with the applicant and left the Council Chamber without any further discussion.

City Council sat to receive representation on the above noted matter.

Dean Esler appeared before City Council in support of the application and to answer any questions. He stated that the purpose of the application was to allow for future commercial development.

Ellen Decock, 1537 - 13th Street, appeared to voice concerns with respect to the interim use of the property for construction of RTM homes and suggested fencing and paving be put into place.

Esther Sitko, 1539 – 13th Street appeared to express concerns with respect to property values if the subject property was used for industrial purposes. She indicated a proper buffer around the commercial property would alleviate the concerns.

No further written or verbal representation was put forward either in support of or in opposition to this application.

It was noted that this item would be dealt with further under the Order of By-laws.

Campbell-Jessiman

1933 That the Public Hearing with respect to By-law No. 6846 to rezone 1510, 1512, 1530 and 1550 – 12th Street (Lots 25/44, Block 6, Plan 227 BLTO) from RLD Residential Low Density Multiple Family Zone to CAR Commercial Arterial Zone be concluded. CARRIED.

Following the above motion being voted on, Councillor Brown re-entered the Council Chamber.

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

Nil

ENQUIRIES:

(715) RECREATION CENTRE – ICE FOR FALL AND WINTER

Councillor Jessiman requested an update in regards to what was happening with the Recreation Centre in the upcoming fall and winter. He noted that he had heard rumours of some events leaving the City this winter due to the uncertainty with respect to the availability of the curling club and the restaurant at the Recreation Centre.

His Worship the Mayor agreed to take this matter under advisement.

(716) PRODUCT FOR REMOVING GRAFFITI PAINT

Councillor Paterson referred to the amount of graffiti in the City and noted that when he and other members of Council had been in Montreal earlier in the year, that the City of Montreal was using a product that was very effective in removing paint and enquired whether or not the City had looked into obtaining some of this product for use in Brandon.

His Worship the Mayor agreed to take this matter under advisement.

(717) STATUS OF THE BOAT DOCK AND LAUNCH

Councillor Paterson enquired as to whether or not the new boat dock and launch that was being constructed where the Westbran Ferry used to be was going to be operational this year or next. He noted that he had had numerous people enquire as to the status of the boat dock and launch.

His Worship the Mayor agreed to take this matter under advisement.

(718) DANGEROUS CONDITION OF THE TRAIL EAST OF CURRAN PARK

Councillor Paterson noted that although there were still signs advertising the trail east of Curran Park, he had taken a bike ride along the trail and found it to be very dangerous. He noted the trail was quite overgrown and he was concerned that kids taking this trail from the campground could get injured on the sticks, gravel, etc. along the trail. He suggested that if the trail was not going to be properly maintained, perhaps the signs should be taken down as the current situation created a very big safety factor.

His Worship the Mayor agreed to take this matter under advisement.

(719) BACK ALLEY APRONS SOUTH OF MCDONALD AVENUE

Councillor Paterson advised that in quite a few spots along McDonald Avenue there was concrete coming from the back alley onto the crossroad that was getting quite beaten up, causing safety issues. Councillor Paterson enquired if it would be possible to have Administration take a look at the situation.

His Worship the Mayor agreed to take this matter under advisement.

(720) COSTS OF SIDEWALKS IN THE 800 BLOCK ON 5TH STREET

Councillor Rice stated that he had received a call from a resident of the 800 Block on 5th Street in regards to the costs of installing sidewalks on both sides of the pavement. He asked if there could be a report prepared in regards to those costs, including whether or not the budget allowed for the expenditure or if the costs would have to be borne by the residents.

His Worship the Mayor agreed to take this matter under advisement.

(721) AVAILABLE PROGRAMS FOR FIRST-TIME HOMEOWNERS

Councillor Rice stated that a couple of residents had enquired about any City, Provincial or Federal programs for first time homeowners. He further stated that he had spoken with the City Clerk and while the City Clerk was not aware of any programs, he had provided Councillor Rice with a business card for Tyler King of the Brandon Neighbourhood Renewal Corporation who would be more knowledgeable of any available programs.

(722) IMPROVEMENTS TO THE 400 BLOCK ON 16TH STREET

Councillor Barletta referred to a letter area residents had received from the City Engineer outlining the proposed improvements on the 400 Block on 16th Street. He noted that area residents were pleased with the information they had received from but would like some clarification on the scope of the improvements, for example, would the finished product look like the area around 11th Street and Princess Avenue.

His Worship the Mayor agreed to take this matter under advisement.

(723) REPORT ON THE PUBLIC SAFETY BUILDING PREPARED BY DR. PIP

Councillor Barletta enquired as to whether or not members of Council would have an opportunity to meet with Dr. Pip to discuss the report she had prepared at the request of the Firefighters Association with respect to the site for the Public Safety Building, given that she had not been able to attend this Council meeting nor the Special Meeting scheduled for August 21st, 2006.

At the request of the Chair, the City Manager advised that President of the Firefighters Association was working with Dr. Pip to arrange a conference call between Dr. Pip and any members of Council who wish to join in. He further advised that his office would be in touch with members of Council as soon as a time for said call had been set.

In conjunction with the above, Councillor Black noted that the report by Dr. Pip was available on the Fire Fighter's webpage and he enquired if and when the Peer Report prepared for the Administration would be available on the City's webpage.

Again at the request of the Chair, the City Manager advised that the report would be available on the webpage in the near future.

(724) VICTORIA WARD ISSUES

Councillor Blight advised that he had been involved in discussions with respect to the speed of trains through the City and acknowledged that a delegation would appear at the September 25th, 2006 meeting of City Council to discuss the issue.

Councillor Blight further advised that he spoken with City representatives with respect to water drainage issues in Victoria Ward, speed of traffic in the vicinity of 39th Street and Park Avenue and the situation of teenagers hanging around during the early hours of the morning. He noted that as responses were received, he would share same with members of Council and area residents.

(725) PLANNING COMMISSION

Councillor Smale requested a report on the Planning Commission. She stated that she was aware there was a process in the works for taking applications to sit on the Commission and requested an update on the role of the Commission, orientation and education of the selected members and what input the members would have on making recommendations to the Planning District, etc.

His Worship the Mayor agreed to take this matter under advisement.

(726) FILL ONTO PROPERTY AFFECTING DRAINAGE FLOWS

Councillor Smale enquired whether or not there was any protection for existing properties when fill was added to adjacent properties experiencing new development, thus causing drainage flow problems.

His Worship the Mayor advised that any new developments were required to have a development agreement in place, inclusive of drainage plans. His Worship further advised that the Property Section of Development Services was responsible for creating and enforcing those development agreements and if owners of existing properties were not satisfied that the agreements were being adhered to, they could contact Development Services to review the issue.

(727) HANDI-TRANSIT

Councillor Smale requested a report on how the handi-transit changes were working. Councillor Smale further commented that she would like to see Council updated every now and then on how things were going with handi-transit given that it was a big issue with handi-transit users and non-users alike.

His Worship the Mayor agreed to take this matter under advisement.

(728) COSTS OF INSTALLING BACK-FLOW VALVES

Councillor Black stated that residents had been advised by Public Works after the storm in July 2005, that the installation of back-flow valves in their sewer systems would prevent sewer back-up and flooding during subsequent storms. He noted that installation of said valves was extremely costly and he enquired if the City could look into a program to assist homeowners with the costs.

His Worship the Mayor agreed to take this matter under advisement.

(729) ABORIGINAL MUSEUM/CULTURAL CENTRE – FORMER BURNS PLANT

Councillor Black referred to a previous study that had been completed in regards to establishing an Aboriginal Museum, Arts and Cultural Centre in the former Burns Plant and enquired if an update could be provided.

His Worship the Mayor agreed to take this matter under advisement.

(730) COMMUNITY STRATEGIC PLAN – MINUTES OF COMMITTEE MEETINGS

Councillor Black referred to the minutes of the various Community Strategic Plan Committees available on the City of Brandon website and stated that he found them confusing and hard to follow. He enquired if there was any protocol in place for the consist taking and posting of said Minutes

His Worship the Mayor agreed to take this matter under advisement.

(731) AVAILABILITY OF ELECTION INFORMATION

Councillor Black enquired if the City Clerk's Department had information packages available for people interested in running in the 2006 Municipal Election.

At the request of the Chair, the City Clerk replied that Ms. Swidnicki, Senior Election Official, had information packages, inclusive of guidelines, available to any potential candidates, including current members of Council. He further stated that any potential candidates were welcome to contact Ms. Swidnicki at 729-2210 or to attend the City Clerk's Office on the second floor of City Hall where they could speak with either Ms. Swidnicki or himself.

(732) CONDITION OF TREES ON MAJOR THOROUGH FARES

Councillor Chrest referred to a letter received from the Member of the Legislative Assembly for Brandon East and the response to that letter from the Manager of Public Works in regards to the condition of the boulevard trees on major thorough fares in Brandon. Councillor Chrest stated that he was concerned that many of these trees were dead or dying for many different reasons including drought, insects and winter salt. Councillor Chrest further noted that while the Manager of Public Works stated they were working on some issues to help save the trees, there was definitely going to be some losses due to the conditions. Councillor Chrest enquired if additional information could be obtained to detail the steps being taken to fix the trees and what the plan was should the attempts fail.

His Worship the Mayor agreed to take this matter under advisement.

(733) REPORTS ON SAFETY OF 1ST AND ROSSER SITE ON WEB PAGES

Councillor Black noted that the report prepared by Dr. Pip on the safety of the 1st Street and Rosser Avenue Site for the new Public Safety Building was on the Fire Fighters' Web Page and enquired whether the report commissioned by the City would be on the City Web Page.

The City Manager stated that the City commissioned report by Wardrop Engineering would be on the City's Web Page by mid-week.

ANNOUNCEMENTS:

ASSINIBOINE WARD MEETING

Councillor Paterson announced that an Assiniboine Ward Meeting would be held on Thursday, September 14th, 2006 at the Riverbank Discovery Centre, 545 Conservation Drive, starting at 7:30 p.m. He noted that some of the issues to be discussed included the Brandon Mental Health Centre, Basement Floods, Handi-Transit, speed along McDonald Avenue, Sportsplex, Recreation Centre and other Ward issues.

TOURISM SIGNS ON HIGHWAY NO. 1

Councillor Paterson referred to a letter to the Editor of the Brandon Sun which suggested that in Councillor Paterson's interview with the Brandon Sun he stated that he did not want interesting, artistic signs located along the main roadway attempting to direct people from Highway No. 1 into the City of Brandon. He announced that he wished to dispute that suggestion and to clarify that in his interview he did indeed state that the signs needed to be attractive, artistic and interesting in order to capture travelers' attention and encourage them to come into the City itself to see what the City had to offer.

SILVER SUMMER WAKEFEST

Councillor Paterson reminded everyone that he had had a conflict of interest with respect to the discussions on the Silver Summer Wakefest and therefore had not been involved in any of the discussions with City Council or the Administration. He thanked members of City Council and Administration for all their work in assisting the group of young people putting on the event.

Councillor Paterson also mentioned that he had received numerous complaints from area residents in regards to the loud and inappropriate music that was being played, as well as the lateness of the hour that the event ran. He questioned the location and direction of the speakers and requested that changes be made if the event was to be held in the same place another year. His Worship the Mayor thanked Councillor Paterson for his comments and assured him that a lot was learned from this event and that if the event was held another year in the same location many changes would be made to make it better for everyone, including the area residents.

ENGLISH AS A SECOND LANGUAGE CAMP

Councillor Smale announced that she had had the pleasure of bringing greetings on behalf of His Worship the Mayor and City Council to the English as a Second Language Camp. The camp was sponsored by various organizations including the Brandon Neighborhood Renewal Corporation and the purpose was to assist children of immigrants in our community in learning English. Councillor Smale noted that camp attendees included children from a variety of ethnic backgrounds. She extended her accolades to the organizers for their efforts to bring this great initiative to our community and she hoped would continue for many years.

GENERAL BUSINESS:

(A) SPORTSPLEX ICE RENTAL RATES

Considered was a report from the General Manager of Operational Services dated August 14th, 2006 with respect to the above.

Paterson-Jessiman

1934 That the ice rental rate at the Sportsplex be increased to \$127.00 per hour effective September 1st, 2006 and the ongoing practice of providing a 20% discount to minor sport using the arena be endorsed. CARRIED.

Prior to the above motion being voted on, it was suggested that a report be provided on what effect the rate change had on usage, as well as a breakdown on the actual cost to maintain the ice versus the rental cost.

(B) SIMPLOT MILLENIUM PARK INC. – TAX RELIEF

City Council considered a report from the General Manager of Corporate Services date July 27th, with respect to the above.

Jessiman-Chrest

1935 That the education portion of the 2004 and 2005 property tax bills on the Simplot Millenium Park including penalties thereon be refunded by the City of Brandon to Simplot Canada Ltd. CARRIED.

(C) EVENT OF LOCAL SIGNIFICANCE – ROCK THE BLOCK CELEBRATION

Councillor Barletta declared a conflict of interest as one of the applicants was his employer.

Submitted for consideration was a report from the City Clerk dated August 3rd, 2006 with respect to the above.

Blight-Rice

1936 That City Policy No. 004 designating Events of Local Significance be amended by:

- (a) deleting: “Street Beat” Celebration; and
- (b) adding: “Rock The Block” Celebration. CARRIED.

Following the above motion being voted on, Councillor Barletta re-entered the Council Chamber.

(D) PREPARATION OF A BY-LAW TO AMEND ZONING BY-LAW NO. 6642 TO REGULATE THE USE OF LIGHTS

Considered was a report from Councillor Barletta dated August 8th, 2006 with respect to the above in accordance with his notice of motion given at the June 12th, 2006 meeting of City Council.

Barletta-Smale

1937 That the Administration bring forward a by-law that will provide general guidelines for commercial and other public lighting including the adoption of energy efficiency standards for new lighting installations in the City of Brandon. CARRIED.

BY-LAWS:

NO. 6837 - TO PROVIDE FOR THE BORROWING OF FUNDS FOR THE PURCHASE OF THE MATERIALS RECYLCING FACILITY AND ASSOCIATED EQUIPMENT BY THE ISSUE AND SALE OF DEBENTURES
AMENDMENT, 3RD READING

It was noted that this by-law had received second reading at the May 8th, 2006 meeting of City Council whereby third reading had been held in abeyance pending approval from The Municipal Board which had been granted July 18th, 2006 through Board Order No. E-06-109.

Chrest-Black

1938 That By-law 6837 to provide for the borrowing of funds for the purchase of the materials recycling facility and associated equipment by the issue and sale of debentures be amended by adding to Section 6 the word: “mill” immediately after the word: “special”. CARRIED.

Chrest-Black

1939 That By-law No. 6837, as amended, be read a third and final time. CARRIED.

In accordance with Section 137 of The Municipal Act, a recorded vote was taken on the motion to give By-law No. 6837 third reading.

FOR
 His Worship Mayor Burgess
 Councillor Barletta
 Councillor Black
 Councillor Blight
 Councillor Brown
 Councillor Campbell
 Councillor Chrest
 Councillor Jessiman
 Councillor Paterson
 Councillor Rice
 Councillor Smale

AGAINST
 Nil

NO. 6845 - TO REZONE PROPERTY LOCATED AT 1215 PATRICIA AVENUE FROM DR DEVELOPMENT RESERVE ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE AND RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE (BLANCHARD AND LALUK)
AMENDMENT, 2ND AND 3RD READINGS

Considered was a report from the Brandon and Area Planning District dated July 28th, 2006 with respect to the above.

1940 Campbell-Barletta
 That Motion No. 1916 (July 17th, 2006 City Council Meeting), to amend By-law No. 6845 by deleting the portion of 1215 Patricia Avenue which is currently zoned as RSF Residential Single Family Zone from the application, be rescinded. CARRIED.

1941 Campbell-Barletta
 That By-law No. 6845 to rezone property located at 1215 Patricia Avenue (Parcel B, Plan 40470 BLTO) be amended by deleting Clause 1 in its entirety and substituting therefor the following:

1. The land described as follows:

 the Southerly 61.2m (201') of Parcel B, identified on a plan of part of the City of Brandon, in Manitoba, registered in the Brandon Land Titles Office as Plan 40470,

 commonly known as 1215 Patricia Avenue and highlighted on the map attached hereto as Schedule "A" is hereby reclassified:

 FROM: DR Development Reserve Zone

 TO: RSF Residential Single Family Zone
2. The land described as follows:

 the Northerly 215.254m (706') of Parcel B, identified on a plan of part of the City of Brandon, in Manitoba, registered in the Brandon Land Titles Office as Plan 40470,

 commonly known as 1215 Patricia Avenue and highlighted on the map attached hereto as Schedule "A" is hereby reclassified:

FROM: DR Development Reserve Zone

TO: RMD Residential Moderate Density Multiple Family Zone

and by renumbering Clauses 2 and 3 as Clauses 3 and 4 respectively. CARRIED.

Campbell-Chrest

1942 That in accordance with Subsection 74(3) of The Planning Act, it is hereby deemed that the alterations made to Zoning By-law No. 6843 following the public hearing are minor ones that do not change the intent of the by-law and as a result, a second public hearing to receive representation on said alterations is not required. CARRIED.

Campbell-Brown

1943 That By-law No. 6843, as amended, be read a second time. CARRIED.

Campbell-Brown

1944 That this by-law be read a third and final time. CARRIED.

In accordance with Section 137 of The Municipal Act, a recorded vote was taken on the motion to give By-law No. 6845 third reading.

FOR
His Worship Mayor Burgess
Councillor Barletta
Councillor Black
Councillor Blight
Councillor Brown
Councillor Campbell
Councillor Chrest
Councillor Jessiman
Councillor Paterson
Councillor Rice
Councillor Smale

AGAINST
Nil

NO. 6846 - TO REZONE PROPERTY LOCATED AT 1510, 1512, 1530 AND 1550 – 12TH STREET FROM RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE TO CAR COMMERCIAL ARTERIAL ZONE (ESLER O/B/O 3777121 MANITOBA LTD.)
2ND READING

Councillor Brown declared a conflict of interest and left the Council Chamber without any further discussion.

It was noted that this by-law had received first reading at the July 17th, 2006 meeting of City Council.

Campbell-Black

That By-law No. 6846 to rezone property located at 1510, 1512, 1530 and 1550 – 12th Street (Lots 25/44, Block 6, Plan 227 BLTO) from RLD Residential Low Density Multiple Family Zone to CAR Commercial Arterial Zone be read a second time. NOT VOTED ON.

Campbell-Black

1945 That By-law No. 6846 be referred to the September 11th, 2006 meeting of City Council to allow Administration to meet with the area residents and the developer to consider the concerns raised for inclusion in the required development agreement. CARRIED.

Following the above motion being voted on, Councillor Brown re-entered the Council Chamber.

GIVING OF NOTICE:

Nil

ADJOURN:

Paterson-Barletta

That the meeting do now adjourn. (11:38 p.m.) CARRIED.

MAYOR

CITY CLERK